

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA

v.

RAYMOND GROSS (02)

No. 3:21-MJ-731-BH

JOINT MOTION TO CONTINUE TIME TO INDICT

The Government and the Defendant, RAYMOND GROSS, jointly request this Honorable Court to continue the time upon which an indictment must be filed for this particular case.

- (1) The Government filed a criminal complaint against Raymond Gross and one other individual on August 5, 2021, alleging a violation of 21 U.S.C. § 846.
- (2) Defendant Gross was arrested in the Central District of California on August 12, 2021 and appeared before a magistrate court in California on August 13, 2021. Defendant Gross then appeared before the Honorable David L. Horan on August 27, 2021.
- (3) There is an additional defendant charged in the complaint who has not yet been arrested or made his appearance before any federal court.
- (4) Under the Speedy Trial Act, 18 U.S.C. § 3161(b), an indictment must be returned on the instant charge “within thirty days from the date on which [the Defendant] was arrested or served with a summons in connection with

such charges.” This 30th day will fall on or about September 11, 2021, taking into account any excludable time, pursuant to 18 U.S.C. § 3161(h)(1)(H), and Federal Rule 45(a).

- (5) The parties request that the Court continue presentation of the Defendant’s case to the Grand Jury until October 11, 2021. The government has informed the defendant that there is substantial discovery in this case; however, it is the government’s hope that it can provide the defendant with the entirety of the discovery as well as helpful analyses that will assist the defendant in his review of the discovery. The parties agree that additional time for the government to prepare and provide this information to the defendant, pre- and post-indictment, may help the case, once indicted, might place the parties in a better position to move forward with the case in the most efficient manner.¹
- (6) Therefore, the granting of this continuance would be in the interest of judicial economy. Both parties further believe that a continuance would serve the ends of justice and would outweigh the interest of the public in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A).
- (7) This request is not made in effort to unduly delay the proceedings, but rather to insure that justice is achieved. The parties both believe that a

¹ The government has also informed counsel for the defendant of some issues related to presenting this case to the grand jury that are distinct from those raised in this motion. These reasons are not relevant to the analysis of whether the continuance would be in the interest of judicial economy.

failure to grant the requested continuance would deny the parties the time necessary for effective preparation, taking into account the exercise of due diligence. *See* 18 U.S.C. § 3161(h)(7)(B)(iv).

- (7) For the foregoing reasons, the parties request that this Honorable Court continue the time upon which an indictment must be filed until on or about October 11, 2021.


Respectfully submitted,

PRERAK SHAH
ACTING UNITED STATES ATTORNEY

s/ Lindsey Beran
LINDSEY BERAN
Assistant United States Attorney
Texas State Bar No. 24051767
1100 Commerce Street
Suite 300
Dallas, Texas 75242
214.659.8600
lindsey.beran@usdoj.gov

AGREED TO BY:

s/ Lindsey Beran
LINDSEY BERAN
Assistant United States Attorney

s/ Paul Lund
PAUL LUND
Attorney for Defendant

RAYMOND GROSS
Defendant